



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management
Authorization to Operate a Solid Waste Management Facility

Renewal of, or New:

BWP SW 06	Authorization to Operate a Large Handling Facility
BWP SW 10	Authorization to Operate a Landfill
BWP SW 20	Authorization to Operate a Small Handling Facility

Instructions and Supporting Materials

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- completeness checklist

Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



BWP SW 06, 10, 20

Permit Fact Sheet

1. What is the purpose of these authorizations?

These authorizations are intended to protect the public health, safety and the environment by ensuring that the construction of a solid waste management facility has been completed in accordance with the approved permit and subsequent operation will not result in pollution of land, air and water or nuisance conditions.

An authorization to operate is required prior to the start of facility operations, but after construction of all new or expanded facilities. If a new or existing facility is developed in phases, authorization is required prior to operating in any new phase of a facility. Renewals of authorization to operate pursuant to 19.042(4) are also subject to the permit approval requirements listed here. Also, some facility modification permits issued pursuant to BWP SW 07, BWP SW 11, BWP SW 21, or BWP SW 22 may also require this authorization to operate prior the start of facility operations, as identified in conditions of the permit modification.

Legislative authority for this permit is stated in MGL c. 21A, ss. 2 and 8, c. 111, s. 150A and the Acts of 1987, c. 584. Regulations promulgated pursuant to these laws are codified in 310 CMR 19.000, Solid Waste Management Facility Regulations. Section 19.042 of these regulations applies to this permit approval.

2. Who must apply?

Any individual, business, or organization that intends to operate a solid waste facility must apply for this authorization in accordance with 310 CMR 19.042. If a new, modified or existing facility is developed in phases, this authorization is required to operate in any new or modified phase of a facility, in accordance with those same regulations.

- A **handling facility** is defined as a transfer station, storage facility or other facility used primarily for the storage, processing or treatment of solid waste. This category also covers recycling facilities and composting facilities which are required to obtain a site assignment pursuant to 310 CMR 16.05.
- A **large handling facility** is a transfer station or other handling facility which receives 50 tons per day or more or a composting facility which receives more than 10 tons per day of solid waste.
- A **small handling facility** is a transfer station or other handling facility which receives less than 50 tons per day or a composting facility which receives no more than 10 tons per day of solid waste.
- A **landfill** is a facility or part of a facility established in accordance with a valid site assignment for disposal of solid waste into or on land.

3. What other requirements should be considered when applying for this permit?

You must obtain permits to construct or modify the appropriate solid waste facility before applying for this authorization. These are issued by MassDEP's Solid Waste Management. Permit application kits are available from the MassDEP Information Service. Other requirements may be found in 310 CMR 19.042(3)&(4) and in the enclosed Application Completeness Checklist.

You must submit documentation that any and all required local, state and federal permits have been issued.

Concurrent permits may include, but are not limited to:

- Wetlands Order of Conditions (310 CMR 10.00), issued by the conservation commission in the city or town where the facility is located.
- Sewer Connection (314 CMR 7.00), issued by Water Pollution Control or Industrial Wastewater.



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- National Pollution Discharge Elimination System (NPDES) (314 CMR 5.00), issued by Water Pollution Control or Industrial Wastewater.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What is the application fee?

BWP SW 06 Large Handling Facility.....\$1,120
BWP SW 10 Landfill\$1,120
BWP SW 20 Small Handling Facility.....\$600

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:
Department of Environmental Protection
* Regional Office

Reserve Copy Location:
Not Required.

Solid Waste Management

*Find your region: <http://mass.gov/dep/about/region/findyour.htm>

6. What are the timelines?

As of July 1, 1992, the timelines are:

	AC	T1	T2*
BWP SW 06	30	45	45
BWP SW 10	30	45	45
BWP SW 20	30	20	20

*A second technical review will only be conducted if necessary.

There is no public comment review period for these authorizations.

7. What is the annual compliance fee?

Current annual compliance fees can be found on the MassDEP Website at
www.mass.gov/dep/files/permits/fees.htm

8. How long is this authorization in effect?

This authorization to operate will be valid for the time period which is specified as a condition of approval of the authorization. Generally, authorizations to operate are valid for 5 years or the life of an individual phase of the facility, whichever comes first.



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9. How can I avoid the most common mistakes made in applying for these authorizations?

- a. Make sure that all conditions of the Permit to Construct have been complied with and documented.
- b. Provide documentation that all other permits, local, state and federal, have been issued and/or complied with as applicable.
- c. Submit construction certification and as-built plans, both signed and stamped by a registered professional engineer.
- d. Provide documentation that appropriate financial assurance has been secured in accordance with 310 CMR 19.051.
- e. Submit fee and one copy of the MassDEP Transmittal Form to: Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to these authorizations? Where can I get copies?

These regulations include, but are not limited to:

- a. Solid Waste Management Regulations, 310 CMR 19.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

- ☐ The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- ☐ Information requested on application has been supplied.
- ☐ One copy of the as-built plans and reports is attached.
- ☐ Certification statement submitted and signed (310 CMR 19.011).
- ☐ Variances requested are identified.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send one copy of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection

_____ * Regional Office

Solid Waste Management

*Find your region: <http://mass.gov/dep/about/region/findyour.htm>

- ☐ Send fee of:

\$1,580 for BWP SW 06;

\$1,580 for BWP SW 10;

\$805 for BWP SW 20;

in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection

P.O. Box 4062

Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management

Transmittal Number _____

BWP SW 06 Authorization to Operate a Large Handling Facility

BWP SW 10 Authorization to Operate a Landfill

Facility ID# (if known) _____

BWP SW 20 Authorization to Operate a Small Handling Facility

Application for Authorization to Operate a Solid Waste Management Facility

A. Project Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Directions:
Specify the plan/report and page numbers in which the following information is located.

Enter NA if information requested is not applicable.

1. Which permit category are you applying for?

☐ BWP SW 06 ☐ BWP SW 10 ☐ BWP SW 20

2. Is the attached application for:

☐ a renewal, or ☐ an initial authorization to operate a facility?

If initial authorization, complete sections **3** and **B**

If renewal authorization, complete sections **4** and **B**

3. Authorization to Operate

Plan/Report #

Page #

DEP Use Only

a. Financial Assurance (310 CMR 19.051)

(1) Mechanism (310 CMR 19.051(12))

(2) Amount (310 CMR 19.051(5))

b. As-built Plans (310 CMR 19.042(3)(b))

(1) QA/QC documentation (310 CMR 19.106(1))

(2) P.E. signed and stamped

(3) Construction Certification (310 CMR 19.106(4))

c. Construction Completeness (310 CMR 19.042(3)(c))

(1) Conformance with 310 CMR 19.030(3)

(2) Ditches, drains, roads, fences, water lines, collection systems & appurtenances

(3) Equipment

(4) Six month site preparation (if applicable)

(5) Staffing

(6) Recycling/composting implementation schedule

(7) Proof of other state, local, federal permits

(8) Compliance with other applicable portions of 310 CMR 19.000



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A. Project Information (cont.)

	Plan/Report #	Page #	DEP Use Only
d. 14 days of daily cover (310 CMR 19.130(15)(b)3)	_____	_____	_____
e. Compliance with Permit (or Authorization) to Construct Conditions of Approval	_____	_____	_____
f. Deed Notice (19.041(6))	_____	_____	_____
4. Renewal of Authorization to Operate (310 CMR 19.042(4))			
a. Renewal Content	_____	_____	_____
(1) Date of expiration of current ATO	_____	_____	_____
(2) Changes in Operation and Monitoring	_____	_____	_____
(3) Narrative summary of monitoring data (previous 5 years)	_____	_____	_____
(4) Detailed report of monitoring data	_____	_____	_____
(5) Leachate management	_____	_____	_____
(6) Operation problems/solutions	_____	_____	_____
(7) List of Permit modifications	_____	_____	_____
(8) List of violations or enforcement actions	_____	_____	_____
(9) Remaining approved capacity	_____	_____	_____
(10) Documentation of recycling and waste restriction compliance	_____	_____	_____
(11) Financial assurance adequacy	_____	_____	_____
(12) Demonstration of compliance with 310 CMR 19.000	_____	_____	_____
b. Notification of host community and contract communities	_____	_____	_____



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B. Certification: 310 CMR 19.011

Any person, required by these regulations or any order issued by the Department, to submit papers shall identify themselves by name, profession, and relationship to the applicant and legal interest in the facility, and make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties both civil and criminal for submitting false information including possible fines and imprisonment."

Print Name

Authorized Signature

Position/Title

Date